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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,404	12/05/2001	Hyun Duk Cho	P-0311	1015
34610	7590	06/30/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			SENGI, BEHROOZ M	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,404

Applicant(s)

CHO ET AL.

Examiner

Behrooz Senfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31 - 38 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 - 15, 20 - 22, 24 - 28 and 30 is/are rejected.
- 7) ☒ Claim(s) 5, 16 - 19, 23 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 4, 20, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Wen et al (US 6,768,775) for the same reason as set forth in the previous office action (dated, 11/17/2004) and claims 6 – 15, 21, 25 – 28 and 30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wen '775 in view of Park et al (US 6,757,851) for the same reason as set forth in the previous office action (dated, 11/17/2004).

The grounds are being restated for applicant convenience.

2. Claims 1 – 4, 20, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Wen et al (US 6,768,775).

Regarding claim 1, Wen '775 discloses “a video data coding/decoding apparatus” (i.e. fig. 3, abstract lines 1 – 3), and (an encoder dividing a partition partitioned by a data partitioning technique into certain block” (i.e. fig. 3, 30 and 32), and “channel coding the divided block data and transmitting a bit-stream” (i.e. fig. 3, 32, 36, 34 and video data packet” and “a decoder channel decoding the bit-stream” (i.e. fig. 5, decoder 60).

Regarding claim 2, Wen '775 discloses, “encoder divides the partition into a plurality of blocks according to a predetermined block size” (i.e. fig. 3, in as much as applicant has disclosed).

Regarding claim 3, Wen '775 discloses, “encoder performs a channel coding to insert channel coding information into the partitioned partition data with reference to an index of a channel coding rate table” (i.e. fig. 3, col. 5, lines 1 – 45).

Regarding claims 4 and 22, Wen '775 discloses, "coding is performed in the unit of byte" (i.e. col. 2, lines 10 – 15 and col. 4, lines 60 – 61).

Regarding claims 20 and 24, the limitations as claimed are substantially similar to combined limitation of claims 1 – 4, therefore the ground for rejecting claims 1 – 4 also applies here.

3. Claims 6 – 15, 21, 25 – 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wen '775 as applied to claims 1 - 4 above, and further in view of Park et al (US 6,757,851).

Regarding claim 6, Wen '775 teaches, "a variable length coder source coding the video data" (i.e. fig. 3, VLC 32 and 30), and "channel coding the divided block data" (i.e. fig. 3, 32, 36, 34". Although Wen '775 (i.e. fig. 4) teaches video data packet mixing to form a video bit-stream, but fails to more clearly show the mixing of the plurality of partitions. However such features are well known and used in prior art of the record as evidenced by Park '851 (i.e. fig. 2) wherein teaches mixing of the plurality of partitions (partitions 1 and 2 and 3) to form a video bit-stream. Therefore it would have been obvious to one skilled in the art at the time of the invention was made to packetize and multiplex/mixing multiple partitioned video data with different characteristic to form a single bit-stream, which would more effectively control the error in multimedia communication (i.e. cols. 3 – 4, lines 58 – 35).

Regarding claim 7, combination of Wen '775 and Park '851 teach, "storing the size information of each partition" (i.e. fig. 2, shows multiple partitions being mixed, therefore the size information of the partitions would be considered and included for

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mixing) and “a first partition, a header portion” (i.e. fig. 2, header 26, cols. 3 – 4, lines 58 – 35 of Park, and col. 2, lines 9 – 18 of Wen), and (second partition having motion vector information, and third partition having DCT coefficients” (i.e. fig. 4, HDP, MVDP and DDP, col. 2, lines 9 – 18 of Wen), and “byte-alignment” (i.e. col. 4, lines 59 – 61 of wen).

Regarding claim 8, combination of Wen '775 and Park '851 teach, “decoder” (i.e. fig. 5, decoder 60 of Wen) and “de-mixer and channel decoder and restoring the original data” reads on (fig. 5, decoding part, of Wen, and also col. 5, lines 8+ of Park).

Regarding claims 9 and 26, the limitations claimed “variable length coder source coding, and a channel coder channel coding the partition data, and partition mixing” are discussed and covered earlier with respect to claim 6, and as for additional limitation “eliminator checking whether a marker emulation has occurred” please see (i.e. fig. 2, marker 22 and 24 in Park) wherein the predetermined markers checking a mixed (partition, 1 and 2 and partition 3) change (example, partition 1 is different from partition 2, mark it) to mark if they are different.

Regarding claims 10 and 30, the limitations as claimed “zero bit insertion” is well known in the prior art of the record. It would have been obvious to use zero bit insertion to allow for synchronization and prevent buffer underflow. Official Notice

Regarding claims 11 - 13, the limitations claimed “matching the window (region) in order to avoid a marker emulation” reads on (i.e. fig. 2) wherein the regions 1 – 3 would be (compared or match) for marking.

Regarding claim 14, combination of Wen '775 and Park '851 teach, "demixing the bit-stream" (i.e. col. 5, lines 8, demultiplexer, Park) and "channel decoder" (i.e. fig. 5, decoder 60 of Wen) and "variable length decoder (VLD)" (i.e. fig. 5, decoder 60 performs variable length decoding).

Regarding claim 15, the limitations claimed "total bit amount is a bit amount between the markers in case of the partition 1 and 2" would have been obvious. For example fig. 2 of Park shows partition 1 and partition 2, of course the total bit amount is the bit amount between the markers of this two partitions.

Regarding claims 21 and 25, the limitations claimed are substantially similar to claim 7; therefore the ground for rejecting claim 7 also applies here.

Regarding claim 27, combination of Wen '775 and Park '851 teach, "coding is performed in the unit of byte" (i.e. col. 2, lines 10 – 15 and col. 4, lines 60 – 61, Wen).

Regarding claim 28, combination of Wen '775 and Park '851 teach, "performing a channel coding to insert channel coding information into the partitioned partition data with reference to an index of a channel coding rate table" (i.e. fig. 3, col. 5, lines 1 – 45, Wen).

Allowable Subject Matter

4. Claims 31 – 38 are allowed over the prior art of the record.

Claims 5, 16, 19, 23 and 29, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Remarks:

Applicant asserts (remarks, dated 2/15/05, page 15, lines third paragraph, lines 2 – 3) that, Wen does not teach or suggest an encoder that inserts channel coding information into portioned data”.

Examiner respectfully disagrees; Wen (i.e. fig. 3, elements 36 and 32, col. 3, lines 40 – 50) shows inserting the channel coding information into partition data, as claimed in the newly amended claims.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications

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from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. M. S. 

6/25/2005


V U L E
PRIMARY EXAMINER